

Concerning a Project on Soviet Doctrines in International Law

1. It is proposed to prepare two or three volumes of translations of selected excerpts from materials relating to Soviet doctrines, and, to some extent, Soviet practices, in international law, and to prepare also an essay of about 200 pages summarizing and interpreting the Soviet position.
2. The need for such a work seems to be pressing. The Russians have translated in full text, among other books, Hyde's International Law Chiefly as Interpreted and Applied by the United States, Oppenheim's International Law, Wolff's Private International Law, Satow's Guide to Diplomatic Practice, Hudson's International Tribunals, etc. So far as we know, however, not a single Soviet textbook dealing with International law has been made available in English, even though first-hand information on the Soviet stand is obviously of paramount importance for the Western world. The well-known book by Tarasousio, The Soviet Union and International Law, which was written and published in the United States, is wholly out-of-date because of radical changes which have taken place since its publication in 1935.
3. Our project would be a logical sequence of the experience gathered in the novel course on Soviet Doctrines and Practices in International Law given during the last term in the Graduate Division of New York University School of Law and described by Dr. de Capriles, associate dean of the School of Law and director of its graduate division, as "an experiment of far reaching implications to American students of international law." The starting point of the project is to be found, in particular, in the mimeographed materials tentatively compiled and used by the instructor, Dr. E. S. Rashba. Although his volume contains some readings presenting the Western view of controversial issues (Schwarzenberger, The Impact of the East-West Rift on International Law, reprinted from the Transactions of the Grotius Society), the bulk of the volume consists of source material intended to provide background knowledge for a comprehension of the Soviet position on questions of international law and international relations.
4. The first of the proposed volumes, which could be prepared in three to four months, would complete the background information provided in the mimeographed material just mentioned. This would be followed by translations devoted to particular fields of practical importance.

The original materials which would be selected for translation may be divided into three categories:

- a. Excerpts from general textbooks on international law. The latest one is the work published in 1951 by the Academy of Sciences of the USSR, Institute of Law. This should be supplemented by excerpts from earlier textbooks in order to show the principal lines of development. As has been mentioned, material of this kind is not presently available to the American reader.

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b. Excerpts from specialized monographs published in the Soviet Union. We may mention, by way of illustration, among other titles, Polianskii's *The International Court*, Levin's *Sovereignty*, Mezhera's *The Immunity of State-Owned Vessels of the USSR*, Shurshalov's *The Regime of International Trusteeship*, Luntz' *Private International Law*, Dranov's *Black Sea Straits*. As far as we know, material of this kind is likewise unavailable to the American reader.

c. Excerpts from articles appearing in Soviet law journals and other magazines, and, in a few cases, in Soviet dailies. These cover practically every field related to international law (international organization, post-war defense pacts, human rights, forbidden weapons, prisoners of war, right of asylum, continental shelf, criticism of our scholars, etc). A very limited number of items of this character have been reprinted in the United States in such publications as the *Current Digest of the Soviet Press*.

The foregoing is, necessarily, only a tentative indication of the materials to be used. It is proposed to keep abreast with the latest publications and trends and, in the selection and relative emphasis, to conform with changing developments and needs.

5. The scope of the proposed essay would be determined by the following considerations:

An adequate understanding of the Soviet stand is not possible without some knowledge of historical, economic and cultural factors. Therefore, these must be taken into account together with the source material contained in the work.

Many persons would wish to equip themselves for effectually meeting the Soviet challenge, especially in the vast territories stretching between the United States and Russia. Hence, according to our plan, a critical analysis of the Soviet position should be included.

6. The projected work is intended primarily for the benefit of the constantly increasing number of persons who are concerned with the subject in their professional pursuits. It is anticipated, at the same time, that the material may, at least in part, be made available to the general public.

7. The expected time for the completion of the project is two years. The sum required, exclusive of the cost of mimeographing or printing, is \$15,000 per year.

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